

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

JAMES RICHARD AYRE,

Petitioner,

Case Number: 06-CV-11327

v.

HON. JOHN CORBETT O'MEARA

WILLIE O. SMITH,

Respondent.

**ORDER REQUIRING PRODUCTION OF RELEVANT STATE COURT RECORD**

Petitioner James Richard Ayre has filed a *pro se* petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. The Court ordered Respondent to file an answer to the petition in accordance with Rule 5 of the Rules Governing Section 2254 cases. Rule 5 requires that, as part of its answer, respondent file a copy of any prior decisions, briefs, and transcripts necessary to adjudicate the issues presented.

Respondent has filed a Motion to Dismiss, but has failed to file any of the Rule 5 materials. The Court **ORDERS** Respondent to file the Rule 5 materials within **FOURTEEN DAYS** from the date of this Order.

s/John Corbett O'Meara  
UNITED STATES DISTRICT JUDGE

Dated: November 17, 2006

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 17, 2006, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager